

REMARKS

Claims 1-14 were pending. Claims 1-14 have been canceled without prejudice to Applicant's right to pursue the canceled subject matter in a continuation application. Claims 15-17 have been added. Support for these new claims may be found in the specification, inter alia, as follows: claim 15, on paragraphs 242, 128, 251, 261 and 266; claim 16, on paragraph 266; and claim 17 on paragraph 267. This amendment adds no new matter. Entry of this amendment is requested such that claims 15-17 will be pending.

Informational Disclosure Statement

The Examiner objects to the IDS filed on January 25, 2006 because the foreign references were allegedly not legible. In response, applicants are filing a supplemental IDS with new copies of these documents, thereby obviating this ground of rejection.

Specification

A. Hyperlink

The Examiner objects to the disclosure as allegedly containing an embedded hyperlink and/or other form of browser-executable code. In response, applicants have amended the specification to disable the alleged hyperlinks, by removing the terms "www" and "http/" thereby obviating this ground of rejection.

B. Abstract

The abstract is objected to as allegedly being too long. In response, the abstract has been amended, obviating this ground of rejection.

Claim Objections

Claim 6 is objected to because of the following informalities: there is a typographical error "o" in line 8 of the instant claim. Since claim 6 has been canceled, this objection is rendered moot.

Indefiniteness

Claims 3-7, 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Since claims 1-14 have been replaced by claims 15-17, this rejection is rendered moot. Claims 15-17 fully comply with 35 U.S.C. 112, second paragraph. Reconsideration and withdrawal of this ground of rejection are requested.

Utility under 35 U.S.C. § 101

Claims 1-4 are rejected under 35 U.S.C. 101 because the claimed invention is allegedly directed to non-statutory subject matter. Since claims 1-14 have been replaced by claims 15-17, this rejection is rendered moot. Reconsideration and withdrawal of this ground of rejection are requested.

Anticipation under 35 U.S.C. § 102(b)

Claims 1-14 are rejected under 35 U.S.C. 102(b) as allegedly anticipated by Buntine (Statistics and Computing (1992) Volume 2, pages 63-73). Since claims 1-14 have been replaced by claims 15-17, the rejection of claims 1-14 over Buntine is rendered moot. Claims 15-17 are not anticipated by Buntine because Buntine fails to teach or suggest all the elements of claim 15, or of its dependent claims 16 and 17. Buntine fails to teach a method of predicting lymph node metastasis in an individual afflicted with breast cancer, by combining metagene expression data with clinical risk factors. In light of the claim amendments, reconsideration and withdrawal of this ground of rejection are requested.

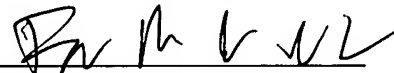
CONCLUSIONS

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-1945, from which the undersigned is authorized to draw, under Order No. DU-P02-002.

Dated: November 27, 2006

Respectfully submitted,

By 

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